



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

07 MJ 8989

UNITED STATES OF AMERICA) Magistrate Case No.:
Plaintiff,)
v.) COMPLAINT FOR VIOLATION OF
Mark Anthony PYLES) 21 U.S.C. § 952 and 960
Defendant.) Importation of a Controlled
) Substance (Felony)
)
)
)

The undersigned complainant being duly sworn states:

That on or about December 16, 2007 within the Southern District of California, defendant Mark Anthony PYLES, did knowingly and intentionally import approximately 224.56 kilograms (494.03 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Special Agent
U. S. Immigration & Customs
Enforcement
W. P. Lewis

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17th DAY
OF DECEMBER 2007.

P. C. Lewis
PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.
3 Mark Anthony PYLES

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents,
6 and notes furnished to U. S. Immigration and Customs Enforcement
7 Special Agent Stewart Harvey.

8 On December 17, 2007, at approximately 2130 hours, Mark
9 Anthony PYLES entered the United States through Calexico, CA West
10 Port of Entry. PYLES was the driver and sole occupant of a 2008
11 Ford Freelancer Motorhome.

12 Primary Customs and Border Protection Officer (CBPO) Gastelum
13 received a negative Customs declaration from PYLES. CBPO Gastelum
14 asked what his purpose of visiting Mexico was, PYLES stated he was
15 in Algodones, Mexico, riding motorcycles with his friends. CBPO
16 Gastelum then asked PYLES where he was going. PYLES stated he was
17 going back home alone. During routine questioning, CBPO Gastelum
18 noticed PYLES was avoiding eye contact. CBPO Gastelum asked PYLES
19 whom the vehicle belonged to, PYLES stated, "It's a rental." CBPO
20 Gastelum subsequently escorted PYLES and the motorhome to the
21 vehicle secondary lot for further inspection.

22 While at the vehicle secondary inspection lot, CBPO Carp
23 received a negative Customs declaration from PYLES. CBPO Carp
24 asked about the ownership of the motorhome and purpose of travel to
25 Mexico, PYLES stated the motor home was a rental and he was in San
26 Felipe, Mexico, with his brother on Friday. PYLES stated he was
27 returning to his home in Las Vegas, Nevada. CBPO Carp asked PYLES
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1 why he was driving a large vehicle if he was traveling alone. CBPO
2 Carp then observed PYLES' lip start to quiver, as he appeared to
3 become visually nervous by continuously moving from side to side
4 and stuttering when he answered questions.

5 CBP Canine Enforcement Officer Jones utilized his Narcotic
6 Detector Dog, which alerted to the rear cargo area of the motor
7 home. During inspection, CBPO Carp discovered a floor compartment
8 that was specially built about the spare tire well of the motor
9 home.

10 Upon further inspection of the vehicle, CBPO Carp discovered
11 forty-one (41) packages containing a green leafy substance, which
12 field-tested positive for marijuana. Twenty-eight (28) packages
13 were removed from the compartment in the cargo area and thirteen
14 (13) packages were removed from a built up compartment on top of
15 the bed. A total of 224.56 kilograms (494.03 pounds) of marijuana
16 were concealed in a specially built compartment located in the rear
17 of the motor home.

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